

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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JOSEPH LOUIS BAKER,

Plaintiff,

v.

A. AGUIRRE, *et al.*,

Defendants.

2:11-cv-01198-KJD -VCF

O R D E R

Before the court are *pro se* plaintiff Joseph Louis Baker Motion/Application to Proceed *In Forma Pauperis* (#1) and attached Complaint (#1-1). Plaintiff asserts that he is unemployed, has not received any money from any source in the past twelve months, does not own any real estate, does not receive any money from disability or the like, and that he has not placed any property in the name of anyone else. (#1). Further, his application reveals that he has a current balance of \$2.83, a monthly average balance of \$8.78, and zero average monthly deposits. *Id.* Therefore, the court finds that the plaintiff is unable to prepay the filing fee.

Accordingly, and for good cause shown,

IT IS ORDERED that plaintiff Joseph Louis Baker's Motion/Application to Proceed *In Forma Pauperis* (#1) is GRANTED.

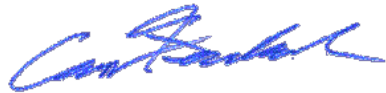
IT IS FURTHER ORDERED that the plaintiff is permitted to maintain the action to conclusion without the necessity of prepayment of any additional fees, costs, or security. This Order granting *in forma pauperis* status shall not extend to the issuance of subpoenas at government expense.

IT IS FURTHER ORDERED that the Clerk of the Court shall file the Complaint (#1-1), issue summons to the defendants named in the complaint, deliver the same to the U.S. Marshal for service, and send blank copies of the USM-285 forms to the plaintiff.

1 IT IS FURTHER ORDERED that the plaintiff shall have twenty (20) days to furnish to the U.S.
2 Marshal the required USM-285 forms. Within twenty (20) days after plaintiff receives copies of the
3 completed USM-285 forms from the U.S. Marshal, plaintiff must file a notice with the court identifying
4 which defendants were served and which were not served, if any. If the plaintiff wishes to have the U.S.
5 Marshal attempt service again on any unserved defendants, then a motion must be filed with the court
6 identifying the unserved defendants, specifying a more detailed name and address, and indicating
7 whether some other manner of service should be used. Pursuant to the Federal Rules of Civil Procedure
8 Rule 4(m), service must be accomplished within one hundred twenty (120) days from the date that the
9 complaint was filed.

10 IT IS FURTHER ORDERED that from this point forward, plaintiff shall serve upon defendants,
11 or their attorney if they have retained one, a copy of every pleading, motion, or other document
12 submitted for consideration by the court. Plaintiff shall include with the original paper submitted for
13 filing a certificate stating the date that a true and correct copy of the document was mailed to the
14 defendants or their counsel. The court may disregard any paper received by a district judge, magistrate
15 judge, or the Clerk which fails to include a certificate of service.

16 DATED this 21st day of October, 2011.

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19 CAM FERENBACH
20 UNITED STATES MAGISTRATE JUDGE
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